			UNITED STATES DEPAR United States Pitent and Address COMMOSIONER Fo P.O. Box 1450 Aletandria, Virginia 223 vyw.uspto.gov	Frademark Office OR PATENTS
APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,415	01/18/2002	Santosh C. Lolayekar	MARA-01001US0 SBS	7003
28554 7	590 10/06/2005		EXAM	INER
VIERRA MAGEN MARCUS HARMON & DENIRO LLP			WALSH, JOHN B	
685 MARKET STREET, SUITE 540 SAN FRANCISCO, CA 94105			ART UNIT	PAPER NUMBER
5/11/1/10/11/01			2151	
			DATE MAILED: 10/06/2005	5

١

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 GFR 1.136(a). In ne event, however, may a reply be timely filed if WD period With the set or extended period for reply will, by statuto, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply reacived by the Office Later than there months after the mailing date of this communication, are yet as the addition in the months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).  Status  1) Responsive to communication(s) filed on			Application No.	Applicant(s)
John B. Walsh 2151     The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Edunation time may a exable under the provide site of this communication. If NO period for reply with the stor extended period for reply will reple SX (6) MONTHS from the mailing date of this communication. If NO period for reply is general date, the mainer statutory period will apply and will reple SX (6) MONTHS from the mailing date of this communication. If NO period laters, the mainer advance date of this communication. If NO period laters, the mainer statutory period will apply and will reple SX (6) MONTHS from the maling date of this communication. If NO period patent term adjustment. See 37 CFR 1.704(b) Status  1) Responsive to communication(s) filed on			10/051,415	LOLAYEKAR ET AL.
The MALLING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply     A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS     WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.     Extensions of time may be available under the provisions of 37 CFR 1.138(a). In sevent, however, may a reply be time filed     to provide advex, the maximum statutory period will period advit user period. MONTHS from the maining date of this communication     to prove the advex, the maximum statutory period will period advit periods (% MONTHS from the maining date of this communication     to prove the sevent by the difficult advex, the maximum statutory period will period advit periods (% MONTHS from the maining date of this communication     to prove the sevent by the difficult advex, the maximum statutory period will period advit periods (% GMONTHS from the maining date of this communication     to period with the sevent by the difficult advex, the maximum statutory periods     and patient term adjustment. See 37 CFR 1.704(b).  Status  1) Responsive to communication(s) filed on		Office Action Summary	Examiner	Art Unit
Period for Reply         A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS         WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.         • Educations of time may be available under the provisions of 3 CFR 1.136(a).         • If NO period for reply is specified above, the maximum statutory period will apply and will expire SN(6) MONTHS from the mailing date of this communication.         • If NO period for reply is period will apply and will expire SN(6) MONTHS from the mailing date of this communication.         • Pailure for vertice of activate period will expire SN(6) MONTHS from the mailing date of this communication.         • Pailure for vertice of the maximum statutory period will expire SN(6) MONTHS from the mailing date of this communication.         • Pailure for vertice of vertice of the period will expire SN(6) MONTHS from the mailing date of this communication.         • Pailure for vertice of vertice of the period will expire SN(6) MONTHS from the mailing date of this communication.         • Pailure for vertice of vertice vertice of vertice of vertice of vertice of vertice			John B. Walsh	2151
<ul> <li>5) □ Claim(s) is/are allowed.</li> <li>6) □ Claim(s) is/are rejected.</li> <li>7) □ Claim(s) is/are objected to.</li> <li>8) ⊠ Claim(s) <u>1-49</u> are subject to restriction and/or election requirement.</li> </ul> Application Papers <ul> <li>9) □ The specification is objected to by the Examiner.</li> <li>10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner.</li> <li>Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).</li> <li>Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121 11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). <ul> <li>a) □ All</li> <li>b) □ Some * c) □ None of:</li> <li>1. □ Certified copies of the priority documents have been received.</li> <li>2. □ Certified copies of the priority documents have been received in Application No</li></ul></li></ul>	A SH WHIC - Exter after - if NO - Failu Any r earno 5tatus 1) 2a) 3) 3)	ORTENED STATUTORY PERIOD FO CHEVER IS LONGER, FROM THE MA asions of time may be available under the provisions of SIX (6) MONTHS from the mailing date of this commun period for reply is specified above, the maximum statu re to reply within the set or extended period for reply with reply received by the Office later than three months afte ad patent term adjustment. See 37 CFR 1.704(b). Responsive to communication(s) filed This action is <b>FINAL</b> . 2th Since this application is in condition for closed in accordance with the practice <b>Son of Claims</b>	ation appears on the cover s R REPLY IS SET TO EXPIR ILING DATE OF THIS COM 37 CFR 1.136(a). In no event, howeven nication. tory period will apply and will expire SD ill, by statute, cause the application to b er the mailing date of this communication on o) This action is non-final. or allowance except for form the under <i>Ex parte Quayle</i> , 19	heet with the correspondence address RE <u>1</u> MONTH(S) OR THIRTY (30) DA IMUNICATION. r, may a reply be timely filed (6) MONTHS from the mailing date of this communic scome ABANDONED (35 U.S.C. § 133). n, even if timely filed, may reduce any al matters, prosecution as to the merit
<ul> <li>10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121</li> <li>11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.</li> <li>Priority under 35 U.S.C. § 119</li> <li>12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: <ol> <li>Certified copies of the priority documents have been received.</li> <li>Copies of the certified copies of the priority documents have been received in Application No</li> </ol> </li> </ul>	5) 6) 7) 8)	Claim(s) is/are allowed. Claim(s) is/are rejected. Claim(s) is/are objected to. Claim(s) <u>1-49</u> are subject to restriction		
<ul> <li>12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> </ul>	10)	The drawing(s) filed on is/are: Applicant may not request that any object Replacement drawing sheet(s) including t	a) accepted or b) objection to the drawing(s) be held in the correction is required if the corre	abeyance. See 37 CFR 1.85(a). drawing(s) is objected to. See 37 CFR 1.1
	12) a)	Acknowledgment is made of a claim fo All b) Some * c) None of: 1. Certified copies of the priority d 2. Certified copies of the priority d 3. Copies of the certified copies o application from the Internation	ocuments have been receiv ocuments have been receiv f the priority documents hav al Bureau (PCT Rule 17.2(a	ed. ed in Application No e been received in this National Stage )).
Attachment(s)         1)       Notice of References Cited (PTO-892)         2)       Notice of Draftsperson's Patent Drawing Review (PTO-948)         3)       Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)         Paper No(s)/Mail Date       5)         Notice of Informal Patent Application (PTO-152)         Paper No(s)/Mail Date	1)	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PT mation Disclosure Statement(s) (PTO-1449 or P	O-948) PTO/SB/08) 5) □ N	aper No(s)/Mail Date otice of Informal Patent Application (PTO-152)

•

Application/Control Number: 10/051,415 Art Unit: 2151

61 3

## **DETAILED ACTION**

## Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-36 and 49, drawn to a method for storing and accessing data, classified in class 709, subclass 230.
- II. Claims 37-48, drawn to a line card and a switch, classified in class 709, subclass
   250.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions I and II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the apparatus can be used to practice another materially different process.

3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Application/Control Number: 10/051,415 Art Unit: 2151

x . ¥

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B. Walsh whose telephone number is 571-272-7063. The examiner can normally be reached on Monday-Wednesday from 5:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

> John B. Walsh Primary Examiner Art Unit 2151